

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Union Pacific Railroad Co. Tracks with CTH 'E' in the Town of Merton, Waukesha County

9040-RX-1158

SUPPLEMENTAL ORDER

On August 30, 2002, the Office of the Commissioner of Railroads (OCR) issued an order that required the installation of cantilevered 12" LED automatic flashing lights, gates, and constant warning time circuitry at the public crossing of the Union Pacific Railroad Co. (UP or railroad) tracks with CTH 'E' in the Town of Merton, Waukesha County by December 31, 2004 (crossing no. 179 054D / NWS 28.74).

By letter dated February 11, 2005, the UP filed a request for an extension of time to June 30, 2005. The railroad is currently working on the installation but could not meet the original deadline due to weather conditions. The Commissioner finds the request to be reasonable.

THEREFORE, IT IS ORDERED,

1. That the **Union Pacific Railroad Co.** shall install and maintain cantilevered 12" LED automatic flashing lights, gates, and constant warning time circuitry with appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with **CTH 'E'** at-grade in the Town of Merton, Waukesha County by **June 30, 2005** (Crossing No. 179 054D / NWS 28.74).

2. That jurisdiction is retained.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads